

1 THE HONORABLE RICARDO S. MARTINEZ  
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7 UNITED STATES DISTRICT COURT  
8 WESTERN DISTRICT OF WASHINGTON  
9 AT SEATTLE

10 CITY OF ISSAQAH, a municipal  
11 corporation,

12 Third-Party Defendant,  
13 v.

14 ORA TALUS 90, LLC, a Delaware limited  
15 liability company; and RESMARK  
16 EQUITY PARTNERS, LLC, a Delaware  
limited liability company,

17 Defendant.  
18 ORA TALUS 90, LLC, a Delaware limited  
19 liability company; and RESMARK  
20 EQUITY PARTNERS, LLC, a Delaware  
21 limited liability company,

22 Third-Party Plaintiffs,

23 v.

24 TERRA TALUS LLC, a Washington  
25 limited liability company; ELEMENT  
26 RESIDENTIAL INC., a Washington  
corporation; JOSHUA FREED, an  
individual; TERRA ASSOCIATES, INC., a  
Washington corporation; J.R. HAYES &  
SONS, INC., a Washington corporation;  
TALUS MANAGEMENT SERVICES  
LLC, a Washington limited liability  
company; and TALUS 7&8, LLC, a  
Washington limited liability company,

27 Third-Party Defendants.

28 No. 18-cv-000910 RSM

29 STIPULATION AND ORDER RE-  
30 NOTING TALUS MANAGEMENT  
31 SERVICE'S MOTION FOR SUMMARY  
32 JUDGMENT AGAINST ORA TALUS 90  
33 LLC AND RESMARK EQUITY  
34 PARTNERS, LLC

35 STIPULATION AND ORDER GRANTING REQUEST TO RENOTE SUMMARY JUDGMENT HEARING  
36 DATE - 1

## I. STIPULATION

1. Talus Management Services, LLC (“TMS”) timely filed a motion for summary judgment (“TMS SJM”) against ORA Talus 90, LLC and Resmark Equity Partners, LLC (hereinafter collectively “ORA Talus”).

2. The TMS SJM is noted for June 25, 2021.

3. The parties stipulate and agree to request leave of the Court to re-note the TMS SJM one week later, to Friday, July 2, 2021, and to move the parties' briefing dates to conform to the new noting date.

4. The reason for the request is that the parties have reached a tentative settlement of their claims against each other and are awaiting approval of the proposed settlement by a third-party. The parties believe that the approval will be obtained before the proposed re-note date.

5. A summary judgment motion brought by another party in the case is already noted for July 2, 2021, and the one-week extension will not affect other dates in the Court's pre-trial order.

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ORA Talus 90  
Partners LLC

STIPULATION AND ORDER GRANTING REQUEST TO RENOTE SUMMARY JUDGMENT HEARING  
DATE - 2

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42 STIPULATION AND ORDER GRANTING REQUEST TO RENOTE SUMMARY JUDGMENT HEARING  
43 DATE - 3

## ORDER

2       Based on the above stipulation of the parties, the Court grants the stipulated request to re-  
3   note the TMS summary judgment motion to July 2, 2021 and to adjust the parties' briefing  
4   schedule accordingly.

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6 DATED this 25<sup>th</sup> day of June, 2021.

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Presented by:

/s/ *Patrick J. Mullaney*

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STIPULATION AND ORDER GRANTING REQUEST TO RENOTE SUMMARY JUDGMENT HEARING  
DATE - 4